



Washington, D.C. 20505

22 July 2013

Mr. Shawn Musgrave
MuckRock News
DEPT MR 6203
P.O. Box 55819
Boston, MA 02205-5819

Reference: F-2013-02089

Dear Mr. Musgrave:

This is a final response to your 8 July 2013 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 9 July 2013, for the following records:

- 1. All photos, audio and video records of the Navy SEAL mission on 5/1/2011 that killed Osama bin Laden.**
- 2. All audio recordings of the authorization to execute the raid, particularly the order given by the POTUS.**

Regarding Item 1, our records show that we conducted a search on behalf of another requester for records on the same subject of your request. This search resulted in material that was denied in full on 16 May 2012. Since this information was reviewed for declassification within the past two years, it is not subject for re-review at this time pursuant to our regulations CFR 1900.42. In view of this, the information is not subject for declassification re-review until 16 May 2014. We suggest that you submit your request at that time. We regret that we could not be of further assistance with this portion of your request.

Regarding Item 2, in accordance with section 3.6(a) of Executive Order 13526, the CIA can neither confirm nor deny the existence or nonexistence of records responsive to your request. The fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure by section 6 of the CIA Act of 1949, as amended, and section 102A(i)(1) of the National Security Act of 1947, as amended. Therefore, your request is denied pursuant to FOIA exemptions (b)(1) and (b)(3). I have enclosed an explanation of

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;
- (b)(2) exempts from disclosure information, which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;
- (b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;
- (b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;
- (b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source or, in the case of information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source ; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;
- (b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and
- (b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

April 2012